

**IN THE DRAWINGS:**

Please enter the replacement sheet of drawings (Figures 3(a)-3(c)) that is attached to this Amendment.

## **REMARKS**

The Office Action of November 1, 2005 has been received and its contents carefully considered.

Turning first to the rejection under the first paragraph of 35 USC 112, in sections 1 and 2 of the Office Action, the present Amendment deletes "contiguous" from the independent claims. Text that was added to the specification in the last Amendment stated that regions which are contiguous are shown in Figures 3(a)-3(c), and the present Amendment revises the text to delete this statement and to otherwise modify the text.

It is noted that the drawings filed on July 12, 2005 along with the last Amendment failed to fully comply with the drawing objection in the last Office Action by showing a dummy gate made of non-doped polysilicon (now called a "polysilicon body" in the claims). The present Amendment forwards a corrected drawing sheet to do this. It is the same as the version of this sheet that was filed on July 12, 2005, except that a polysilicon body is shown in Figure 3(c) along with the two gates.

In view of the foregoing, it is respectfully submitted that the rejection under the first paragraph of 35 USC 112 has been overcome.

Sections 3 and 4 of the Office Action reject the claims on the ground that the meaning of "polysilicon gate" is unclear, and that some of the claims indicate that the term might be intended to refer to the polysilicon layer rather than the actual gate structure. The present Amendment revises the dependent claims to avoid any implication that "polysilicon gate" might refer to the entire polysilicon layer. In view of this revision, it is respectfully submitted that it is now amply clear that "polysilicon gate" in the claims

refers to the gate structure itself, and not to the polysilicon layer from which the gates are formed.

Section 5 of the Office Action objects to "phosphor" in claim 2. The present Amendment corrects this to "phosphorus."

Sections 6 and 7 of the Office Action object to claims 6 and 9 on the ground that "on" is misused. The present Amendment substantially revises these claims, and the term "on" no longer appears.

Section 8 of the Office Action rejects independent claims 1 and 3 (along with several dependent claims) for anticipation by patent 6,541,359 to Gabriel et al. This reference will hereafter be called simply "Gabriel." For the reasons discussed below, it is respectfully submitted that the inventions defined by independent claims 1 and 3 are not anticipated by the reference, and furthermore would not have been obvious from the reference.

Claim 1 now provides that a non-doped polysilicon body is disposed adjacent at least one of an N type polysilicon gate and a P type polysilicon gate, with these two gates "together occupying a first total area." Claim 1 also provides that a non-doped polysilicon body occupies "a second area larger than the first total area of the N type and P type polysilicon gates." The Office Action refers to Gabriel's Figure 5a, and to the paragraph bridging columns 6 and 7. But even if the arrangement shown in Gabriel's Figure 5a were modified to include both an N type gate and a P type gate in accordance with the paragraph noted in the Office Action, there would still be no non-doped polysilicon body occupying an area larger than the total area of the N type gate and the P type gate. The reason is that Gabriel's unimplanted portions 560a and 560b would be

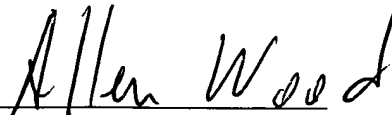
etched away in the process of forming the gates. Nor would the reference have provided an incentive for an ordinarily skilled person to modify what Gabriel discloses so as to achieve the invention defined by claim 1.

Claim 3 recites the step of "setting an etching area occupied by a non-doped polysilicon body ... larger than a total area of the N type polysilicon gate and the P type polysilicon gate." For reasons along the lines discussed above with respect to claim 1, it is respectfully submitted that this is neither disclosed nor suggested by Gabriel.

The remaining claims depend from the independent claims discussed above and recite additional limitations to further define the invention. Consequently, they are patentable along with their independent claims and need not be further discussed. It is nevertheless noted that the present Amendment adds new dependent claims 12 and 13, which recite that the gates and the non-doped polysilicon gate polysilicon body of the independent claims "are all etched simultaneously from a single polysilicon layer." Even if an ordinarily skilled person etched an N type gate and a P type gate together in accordance with the paragraph bridging columns 6 and 7 of the Gabriel reference, the ordinarily skilled person would have had no incentive to form a non-doped polysilicon body from Gabriel's unimplanted portions 560a or 560b.

It is therefore respectfully submitted that this application is now in condition for allowance. Reconsideration of the application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script that reads "Allen Wood". The signature is written in dark ink and is positioned above a horizontal line.

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